

1949

CONGRESSIONAL RECORD—HOUSE

7165

The motion was agreed to; and the Senate proceeded to consider the bill (S. 249), to diminish the causes of labor disputes burdening or obstructing interstate and foreign commerce, and for other purposes, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. LUCAS. Mr. President, as everyone knows, this is the bill commonly known as the bill to repeal the Taft-Hartley law. There will be no consideration given to it this afternoon. As I stated yesterday, the Senate will take a recess until Monday next.

Mr. WHERRY. Is it contemplated that House bill 4016, the bill making appropriations for the Departments of State, Justice, Commerce, and the Judiciary, will be considered, probably, on Monday?

Mr. LUCAS. I cannot advise the Senator definitely, but obviously as we move along with the labor bill, consideration of which will probably require a couple of weeks, we may have to sandwich in between the appropriation bill and some other bills.

Mr. WHERRY. I make that inquiry, because some Senators are anxious to know what is proposed to be done with respect to the appropriation bill.

Mr. LUCAS. I cannot say definitely. It is possible that we might take up the appropriation bill on Monday afternoon, but I do not think very many Senators will be away from the Senate Chamber or at least they will not be very far away from the Senate Chamber when the labor bill is being debated.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. LUCAS. I yield.

Mr. WHERRY. A motion has been agreed to to take up the proposed repeal of the Taft-Hartley Act. Does that supplant the unfinished business?

Mr. LUCAS. There was no unfinished business.

Mr. WHERRY. I thought the unfinished business was the reciprocal trade agreements bill.

Mr. LUCAS. No. That was displaced some days ago when a motion was made and agreed to consider another bill.

Mr. WHERRY. The labor bill is, then, the unfinished business?

Mr. LUCAS. The Senator is correct.

Mr. THYE. Mr. President, may I inquire whether the Senate has received the conference report on the Commodity Credit Corporation bill?

Mr. LUCAS. It has been received and agreed to.

Mr. THYE. I was called to the telephone. I know that the Senate was awaiting receipt of the conference committee report. I have just returned to the Chamber. Before the Senate takes a recess I wish to make inquiry about what has happened.

Mr. LUCAS. That demonstrates how expeditiously the Senate can transact business sometimes.

Mr. THYE. I appreciate that. I am sure that I speak for all the agricultural interests in the Nation when I say that they are very happy that the Commodity Credit Corporation bill is

Mr. WHERRY. Mr. President, I am sure the distinguished majority leader does not mean to convey the idea that we can transact business faster when the Senator from Minnesota is absent from the Chamber than we can when he is present. [Laughter.]

Mr. THYE. I am certain that the Senator from Illinois did not intend any such meaning by his statement.

Mr. LUCAS. The distinguished Senator from Minnesota is one of the most cooperative men I know. I have served with him for a number of years on the Committee on Agriculture and Forestry, and I always appreciate his counsel and advice.

Mr. THYE. I am very grateful to the Senator from Illinois for those remarks.

POSTMASTER

Mr. LUCAS. Mr. President, as in executive session, I ask unanimous consent for the present consideration of the nomination of a postmaster on the Executive Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered. The nomination will be stated.

The legislative clerk read the nomination of Harry F. Schiewetz to be postmaster at Dayton, Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed and, without objection, the President will be notified.

RECESS TO MONDAY

Mr. LUCAS. I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 22 minutes p. m.) the Senate took a recess until Monday, June 6, 1949, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 2, 1949:

UNITED STATES DISTRICT JUDGE

Abraham Benjamin Conger to be United States district judge for the middle district of Georgia.

IN THE NAVY

TEMPORARY APPOINTMENTS

The nominations of Cecil C. Abbott, Jr., and other officers of the Navy for temporary appointment to the grade of lieutenant commander, subject to qualification therefor as provided by law, which were confirmed today, were received by the Senate on May 20, 1949, and appear in full in the Senate proceedings for that date under the caption "Nominations," beginning with the name of Cecil C. Abbott, Jr., which appears on page 6541, and ending with the name of Herman R. Norwood, which is shown on page 6545.

PERMANENT APPOINTMENTS

The nominations of Paul B. Niebocker and other officers for permanent appointment in the Navy, which were confirmed today, were received by the Senate on May 23, 1949, and which appear in full in the Senate proceedings for that date under the caption "Nominations," beginning with the name of Paul B. Niebocker, which is shown on page 6639, and ending with the name of William J. Moran, which appears on page 6641.

POSTMASTER

HOUSE OF REPRESENTATIVES

THURSDAY, JUNE 2, 1949

The House met at 12 o'clock noon. The Chaplain, Rev. James Sherer Montgomery, D. D., offered the following prayer:

O immortal Son of God, who came to this earth, revealing the love of the Father's heart, give us eyes to see the light and hearts to love the truth. In this turbulent world, amid the hard questions and trembling distrust of many of our people, and for those who are in the twilight of vision and fall to see, for them we humbly pray. Deliver us from prejudices, from ignorant misunderstandings, and failure to bear valiantly our responsibilities as citizens. O increase our fidelity and gratitude toward our country, which is seeking to bring release to peoples in bondage. Assure us that no dire calamity, no hopeless grief or needless breath of ill can defeat the soul that rests in Thee. In the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McDaniel, its enrolling clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4533. An act relating to telephone and telegraph service and clerk hire for Members of the House of Representatives.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1008. An act to define the application of the Federal Trade Commission Act and the Clayton Act to certain pricing practices.

CENTRAL INTELLIGENCE AGENCY

Mr. SASSLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2533) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 7, strike out lines 3 to 7, inclusive, and insert:

"(B) While in the continental United States on leave, the service of any officer or employee shall not be available for work or duties except in the agency or for training or for reorientation for work; and the time of such work or duty shall not be counted as leave."

Page 12, line 17, strike out "Director and" and insert "Director."

Page 12, line 18, after "General", insert ", and the Commissioner of Immigration."

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. MARTIN of Massachusetts. Mr.

7166

CONGRESSIONAL RECORD--HOUSE

JUNE 2

brought this to the attention of the ranking minority member of the committee?

Mr. SASSCER. In reply to the gentleman from Massachusetts I wish to state that the matter has been checked with the minority members of the committee. I have cleared it with the majority leader on this side and with the minority leader as well, as the gentleman will recall, on yesterday.

Mr. MARTIN of Massachusetts. The minority Members are agreeable to this change?

Mr. SASSCER. Yes.

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, I opposed this legislation when it was before the House. I consider it most dangerous and subversive of our Constitution. It places manacles around the liberties of Americans. It is Fascist in character. I cannot permit it to be sent to the President with my consent. Therefore, I am constrained to object.

The SPEAKER. Objection is heard.

Mr. SASSCER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2633, being an act to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. SASSCER]? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DURHAM, SASSCER, HAVENNER, ARENDTS, and ELSTON.

OVERTIME-COMPENSATION PROVISIONS OF THE FAIR LABOR STANDARDS ACT

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 858, being an act to clarify the overtime-compensation provisions of the Fair Labor Standards Act of 1938, as amended, as applied in the longshore, stevedoring, building, and construction industries, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out all after "employee" down to and including "industries" in line 9.

Page 2, after line 17, insert:

"Sec. 2. No employer shall be subject to any liability or punishment under the Fair Labor Standards Act of 1938, as amended (in any action or proceeding commenced prior to or on or after the date of the enactment of this act), on account of the failure of said employer to pay an employee compensation for any period of overtime work performed prior to the date of enactment of this act, if the compensation paid prior to such date for such work was at least equal to the compensation which would have been payable for such work had the amendment made by section 1 of this act been in effect at the time of such payment."

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. LEWIS]?

bill was originally before the House I opposed it. We were then told there would be no retroactive features brought into the bill. The Senate amendment makes the bill retroactive. I object, Mr. Speaker; I shall also object to sending the bill to conference. I think the House should have an opportunity to debate this bill again, particularly in view of the fact that when we considered it originally the retroactive feature was not before the House and not considered by the House. I submit that the retroactive provision should be considered and fully debated by the House. I therefore object, Mr. Speaker.

FLAG DAY

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 170, designating June 14 of each year as Flag Day.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain this legislation?

Mr. WALTER. The resolution simply calls on the President to issue a proclamation requiring the display of the flag on all Government buildings on Flag Day.

Mr. MARTIN of Massachusetts. Does he not do that now?

Mr. WALTER. No, sir; not on June 14.

Mr. MARTIN of Massachusetts. Is this done by the various States?

Mr. WALTER. It is done by the various States.

Mr. MARTIN of Massachusetts. And this is to make it national?

Mr. WALTER. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. WALTER]?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc. That the 14th day of June of each year is hereby designated as "Flag Day," and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day, and urging the people to observe the day as the anniversary of the adoption on June 14, 1777, by the Continental Congress of the Stars and Stripes as the official flag of the United States of America.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LANE asked and was granted permission to extend his remarks in the Record in two instances; in the first to include a resolution and in the second a radio speech.

Mr. MULTER asked and was granted permission to extend his remarks in the Record in four instances and to include extraneous matter.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[Mr. MULTER addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. FRAZIER asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial appearing in the Daily Post-Athenian of Athens, Tenn., under date of May 25, 1949.

Mr. LANHAM asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial from the Atlanta Journal.

Mr. RIBICOFF asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in each to include extraneous matter.

Mr. BIEMILLER asked and was given permission to extend his remarks in the Appendix of the Record and include two resolutions by the Wisconsin Committee on the Hoover Commission Report.

Mr. CHESNEY asked and was given permission to extend his remarks in the Record and include an article from the Chicago Daily News.

Mr. ASPINALL asked and was given permission to extend his remarks in the Appendix of the Record and include an article written by a high-school student entitled "Conserving Our Soil."

Mr. ELLIOTT asked and was given permission to extend his remarks in the Appendix of the Record and include a statement.

Mr. WOOD asked and was given permission to extend his remarks in the Appendix of the Record and include a letter from the regional officer of the Kanto military government region headquarters of Japan.

Mr. TAURIELLO asked and was given permission to extend his remarks in the Record and include two editorials from the Buffalo Evening News by Thomas Stokes.

Mr. HAYS of Arkansas asked and was given permission to extend his remarks in the Appendix of the Record in two separate instances and in one to include extraneous matter.

Mr. MCKINNON asked and was given permission to extend his remarks in the Record and include an article from a newspaper.

Mrs. DOUGLAS asked and was given permission to extend her remarks in the Record and include an article by Leon Keyserling, a member of the President's Council of Economic Advisers, notwithstanding the fact that it exceeds the limit fixed by the Joint Committee on Printing and is estimated by the Public Printer to cost \$127.50.

REPEAL OF CERTAIN EXCISE TAXES

Mrs. DOUGLAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. I have given permission

1942

CONGRESSIONAL RECORD—HOUSE

MARCH 7

THREE HUNDREDTH ANNIVERSARY OF
ANNAPOLIS, MD.

Mr. MURRAY of Tennessee. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 22) to authorize the issuance of a special series of stamps commemorative of the three hundredth anniversary of Annapolis, Md.

The SPEAKER. The Chair desires to state that he has consulted with the gentleman from Tennessee and understands the gentleman from Tennessee has cleared this matter with the majority Members on both sides.

Mr. MURRAY of Tennessee. That is correct.

The SPEAKER. Is there objection to the present consideration of the resolution?

There being no objection, the Clerk read the resolution, as follows:

Resolved, etc. That the Postmaster General is authorized and directed to prepare for issuance in May 1949 a special series of 3-cent postage stamps, of such design as he shall prescribe, in commemoration of the three hundredth anniversary of Annapolis, Md.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMINISTRATION OF THE CENTRAL
INTELLIGENCE AGENCY

Mr. SASSNER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 2663) to provide for the administration of the Central Intelligence Agency, established pursuant to section 102, National Security Act of 1947, and for other purposes, as amended.

The SPEAKER. The Clerk will report the bill as amended.

The Clerk read as follows:

Be it enacted, etc.—

DEFINITIONS

SECTION 1. That when used in this act, the term—

(a) "Agency" means the Central Intelligence Agency;

(b) "Director" means the Director of Central Intelligence;

(c) "Government agency" means any executive department, commission, council, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government; and

(d) "Continental United States" means the States and the District of Columbia.

SEAL OF OFFICE

Sec. 2. The Director of Central Intelligence shall cause a seal of office to be made for the Central Intelligence Agency, of such design as the President shall approve, and judicial notice shall be taken thereof.

PROCUREMENT AUTHORITIES

Sec. 3. (a) In the performance of its functions the Central Intelligence Agency is authorized to exercise the authorities contained in sections 2 (c) (1), (2), (3), (4), (5), (6), (10), (12), (15), (17), and sections 3, 4, 5, 6, and 10 of the Armed Services Procurement Act of 1947 (Public Law 413, 80th Cong. 2d sess.).

(b) In the exercise of the authorities granted in subsection (a) of this section, the term "Agency head" shall mean the

rector, the Deputy Director, or the Executive of the Agency.

(c) The determinations and decisions provided in subsection (a) of this section to be made by the Agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (d) of this section, the Agency head is authorized to delegate his powers provided in this section, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the Agency.

(d) The power of the Agency head to make the determinations or decisions specified in paragraphs (12) and (15) of section 2 (c) and section 5 (a) of the Armed Services Procurement Act of 1947 shall not be delegable. Each determination or decision required by paragraphs (12) and (15) of section 2 (c), by section 4, or by section 5 (a) of the Armed Services Procurement Act of 1947, shall be based upon written findings made by the official making such determinations, which findings shall be final and shall be available within the Agency for a period of at least 6 years following the date of the determination.

EDUCATION AND TRAINING

Sec. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

(b) The Agency shall, under such regulations as the Director may prescribe, pay the tuition and other expenses of officers and employees of the Agency assigned or detailed in accordance with provisions of subsection (a) of this section. In addition to the pay and allowances to which such officers and employees may be otherwise entitled.

TRAVEL, ALLOWANCES, AND RELATED EXPENSES

Sec. 5. (a) Under such regulations as the Director may prescribe, the Agency, with respect to its officers and employees assigned to permanent-duty stations outside the continental United States, its Territories, and Possessions, shall—

(1) (A) pay the travel expenses of officers and employees of the Agency including expenses incurred while traveling pursuant to orders issued by the Director in accordance with the provisions of section 5 (a) (3) with regard to the granting of home leave;

(B) pay the travel expenses of members of the family of an officer or employee of the Agency when proceeding to or returning from his post of duty; accompanying him on authorized home leave; or otherwise traveling in accordance with authority granted pursuant to the terms of this or any other act;

(C) pay the cost of transporting the furniture and household and personal effects of an officer or employee of the Agency to his successive posts of duty and, on the termination of his services, to his residence at time of appointment or to a point not more distant, or, upon retirement, to the place where he will reside;

(D) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency who is absent under orders from his usual post of duty, or who is assigned to a post to which, because of emergency conditions, he cannot take or at which he is unable to use, his furniture and household and personal effects;

(E) pay the cost of storing the furniture and household and personal effects of an officer or employee of the Agency on first arrival at a post for a period not in excess of 3 months after such first arrival at such post or until the establishment of residence

(F) pay the travel expenses and transportation costs incident to the removal of the members of the family of an officer or employee of the Agency and his furniture and household and personal effects, including automobiles, from a post at which, because of the prevalence of disturbed conditions, there is imminent danger to life and property, and the return of such persons, furniture, and effects to such post upon the cessation of such conditions; or to such other post as may in the meantime have become the post to which such officer or employee has been assigned.

(2) Charge expenses in connection with travel of personnel, their dependents, and transportation of their household goods and personal effects, involving a change of permanent station, to the appropriation for the fiscal year current when any part of either the travel or transportation pertaining to the transfer begins pursuant to previously issued travel and transfer orders, notwithstanding the fact that such travel or transportation may not all be effected during such fiscal year, or the travel and transfer orders may have been issued during the prior fiscal year.

(3) (A) Order to the United States or its Territories and possessions on leave provided for in 5 U. S. C. 30, 30a, 30b, or as such sections may hereafter be amended, every officer and employee of the agency who was a resident of the United States or its Territories and possessions at time of employment, upon completion of 2 years' continuous service abroad, or as soon as possible thereafter: *Provided*, That such officer or employee has accrued to his credit at the time of such order, annual leave sufficient to carry him in a pay status while in the United States for at least a 30-day period.

(B) While in the continental United States on leave, the service of any officer or employee shall be available for work or duty in the Agency or elsewhere, but the time of such work or duties shall not be counted as leave.

(C) Where an officer or employee on leave returns to the United States or its Territories and possessions, leave of absence granted shall be exclusive of the time actually and necessarily occupied in going to and from the United States or its Territories and possessions, and such time as may be necessarily occupied in awaiting transportation.

(4) Notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Agency, a privately owned automobile in any case where it shall be determined that water, rail, or air transportation of the automobile is necessary or expedient for any part or all of the distance between points of origin and destination, and pay the cost of such transportation.

(5) (A) In the event of illness or injury requiring the hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred while on assignment abroad in a locality where there does not exist a suitable hospital or clinic, pay the travel expenses of such officer or employee by whatever means he shall deem appropriate and without regard to the Standardized Government Travel Regulations and section 10 of the act of March 3, 1933 (47 Stat. 1516; 5 U. S. C. 73b), to the nearest locality where a suitable hospital or clinic exists and on his recovery pay for the travel expenses of his return to his post of duty. If the officer or employee is too ill to travel unattended, the Director may also pay the travel expenses of an attendant.

(B) Establish a first-aid station and provide for the services of a nurse at a post at which, in his opinion, sufficient personnel is employed to warrant such a station: *Provided*, That in his opinion it is feasible

(C) In the event of illness or injury requiring hospitalization of an officer or full-time employee of the Agency, not the result of vicious habits, intemperance, or misconduct on his part, incurred in the line of duty while such person is assigned abroad, pay for the cost of the treatment of such illness or injury at a suitable hospital or clinic;

(D) Provide for the periodic physical examination of officers and employees of the Agency and for the cost of administering inoculations or vaccinations to such officers or employees.

(E) Pay the costs of preparing and transporting the remains of an officer or employee of the Agency or a member of his family who may die while in travel status or abroad, to his home or official station, or to such other place as the Director may determine to be the appropriate place of interment, provided that in no case shall the expense payable be greater than the amount which would have been payable had the destination been the home or official station.

(F) Pay the costs of travel of new appointees and their dependents, and the transportation of their household goods and personal effects, from places of actual residence in foreign countries at time of appointment to places of employment and return to their actual residences at the time of appointment or a point not more distant: *Provided*, That such appointees agree in writing to remain with the United States Government for a period of not less than 12 months from the time of appointment.

Violation of such agreement for personal convenience of an employee or because of separation for misconduct will bar such return payment and, if determined by the Director or his designee to be in the best interests of the United States, any money expended by the United States on account of such travel and transportation shall be considered as a debt due by the individual concerned to the United States.

(b) In accordance with such regulations as the President may prescribe and notwithstanding the provisions of section 1765 of the Revised Statutes (5 U. S. C. 70), the Director is authorized to grant to any officer or employee of the Agency allowances in accordance with the provisions of section 901 (1) and 901 (2) of the Foreign Service Act of 1946.

GENERAL AUTHORITIES

Sec. 6. In the performance of its functions, the Central Intelligence Agency is authorized to—

(a) Transfer to and receive from other Government agencies such sums as may be approved by the Bureau of the Budget for the performance of any of the functions or activities authorized under sections 102 and 303 of the National Security Act of 1947 (Public Law 253, 80th Cong.), and any other Government agency is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this act without regard to limitations of appropriations from which transferred;

(b) Exchange funds without regard to section 3651 Revised Statutes (31 U. S. C. 543);

(c) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are hereby authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(d) Authorize couriers and guards designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;

(e) Make alterations, improvements, and repairs on premises rented by the Agency, and pay rent therefor without regard to limitations on expenditures contained in the act of June 30, 1932, as amended: *Provided*, That in each case the Director shall certify that exception from such limitations is necessary to the successful performance of the Agency's functions or to the security of its activities.

Sec. 7. In the interests of the security of the foreign intelligence activities of the United States and in order further to implement the proviso of section 102 (d) (3) of the National Security Act of 1947 (Public Law 253, 80th Cong., 1st sess.) that the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2, chapter 795 of the act of August 28, 1935 (49 Stat. 956, 957; 5 U. S. C. 654), and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section, the Director of the Bureau of the Budget shall make no reports to the Congress in connection with the Agency under section 607, title VI, chapter 212 of the act of June 30, 1945, as amended (5 U. S. C. 947 (b)).

Sec. 8. Whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, such alien and his immediate family shall be given entry into the United States for permanent residence without regard to their inadmissibility under the Immigration or any other laws and regulations, or to the failure to comply with such laws and regulations pertaining to admissibility: *Provided*, That the number of aliens and members of their immediate families entering the United States under the authority of this section shall in no case exceed 100 persons in any one fiscal year.

Sec. 9. The Director is authorized to establish and fix the compensation for not more than three positions in the professional and scientific field, within the Agency, each such position being established to effectuate those scientific-intelligence functions relating to national security, which require the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this section shall not be less than \$10,000 per annum nor more than \$15,000 per annum, and shall be subject to the approval of the Civil Service Commission.

APPROPRIATIONS

Sec. 10. (a) Notwithstanding any other provisions of law, sums made available to the Agency by appropriation or otherwise may be expended for purposes necessary to carry out its functions, including—

(1) personal services, including personal services without regard to limitations on types of persons to be employed, and rent at the seat of government and elsewhere; health-service program as authorized by law (5 U. S. C. 150); rental of news-reporting services; purchase or rental and operation of photographic, reproduction, cryptographic, duplication and printing machines, equipment and devices, and radio-receiving and radio-sending equipment and devices, including telegraph and teletype equipment; purchase, maintenance, operation, repair, and hire of passenger motor vehicles, and aircraft, and vessels of all kinds; subject to policies established by the Director, transportation of officers and employees of the Agency in Government-owned automotive equipment between their domiciles and places of employment, where such personnel

are engaged in work which makes such transportation necessary, and transportation in such equipment, to and from school, of children of Agency personnel who have quarters for themselves and their families at isolated stations outside the continental United States where adequate public or private transportation is not available; printing and binding; purchase, maintenance, and cleaning of firearms, including purchase, storage, and maintenance of ammunition; subject to policies established by the Director, expenses of travel in connection with and expenses incident to attendance at meetings of professional, technical, scientific, and other similar organizations when such attendance would be a benefit in the conduct of the work of the Agency; association and library dues; payment of premiums or costs of surety bonds for officers or employees without regard to the provisions of 61 Stat. 646; 6 U. S. C. 14; payment of claims pursuant to 28 U. S. C.; acquisition of necessary land and the clearing of such land; construction of buildings and facilities without regard to 36 Stat. 600; 40 U. S. C. 259, 287; repair, rental, operation, and maintenance of buildings, utilities, facilities, and appurtenances; and

(2) supplies, equipment, and personnel and contractual services otherwise authorized by law and regulations, when approved by the Director.

(b) The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds, and for objects of a confidential, extraordinary, or emergency nature, such expenditures to be accounted for solely on the certificate of the Director and every such certificate shall be deemed a sufficient voucher for the amount therein certified.

SEPARABILITY OF PROVISIONS

Sec. 11. If any provision of this act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SHORT TITLE

Sec. 12. This act may be cited as the "Central Intelligence Agency Act of 1949."

Mr. VINSON (interrupting the reading of the bill). Mr. Speaker, I ask unanimous consent that the further reading of the bill as amended be dispensed with and that the same be printed in the Record at this point.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MARCANTONIO. Mr. Speaker, reserving the right to object, will that deprive any Member from making a point of order against the bill at this time?

The SPEAKER. A motion to suspend the rules suspends all rules. Therefore, a point of order would not lie as to any provision of the bill.

Mr. MARCANTONIO. Including the Ramseyer rule?

The SPEAKER. Including the Ramseyer rule.

The gentleman from Georgia asks unanimous consent that further reading of the bill be dispensed with. Is there objection?

There was no objection.

The SPEAKER. Is a second demanded?

Mr. SHORT. Mr. Speaker, I demand a second.

1944

CONGRESSIONAL RECORD—HOUSE

MARCH 7

Mr. MARCANTONIO. Mr. Speaker, I do not want to embarrass the gentleman from Missouri, but I submit that to demand a second a Member must be opposed to the bill.

The SPEAKER. Is the gentleman from Missouri opposed to the bill?

Mr. SHORT. I am not; I am very much in favor of it.

Mr. MARCANTONIO. Mr. Speaker, I am opposed to the bill. I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Maryland [Mr. SASSCER] is recognized for 20 minutes; the gentleman from New York [Mr. MARCANTONIO] will be recognized for 20 minutes.

Mr. SASSCER. Mr. Speaker, I yield myself 8 minutes.

The SPEAKER. The gentleman from Maryland is recognized.

Mr. SASSCER. Mr. Speaker, H. R. 2663 is a bill to provide for the administration of the Central Intelligence Agency. There have been some misconceptions as to its purposes. For this reason, I would like to make certain broad statements concerning the bill and its purposes before discussing it in detail.

The Central Intelligence Agency was established as a successor to the Central Intelligence Group, under the provisions of section 102 of the National Security Act of 1947. This section sets out the functions of the Agency. It should be pointed out at once that H. R. 2663, which we are now considering, does not alter or add to these functions in any way. It simply provides for the administrative implementation of the functions which the Congress has already seen fit to give to the Agency.

Secondly, it should be pointed out that CIA functions exclusively under the powers granted it by the National Security Act of 1947 and not under any Executive order whatsoever.

Thirdly, with one or two exceptions to which your attention will be drawn, there is no authority in this proposed bill which at some time or other has not been granted to some other agency of the Government or which some other agencies are not now utilizing through their own implementing legislation. The reason why the hearings have been held in executive session, and why a certain amount of secrecy has been utilized in connection with this bill, is that the discussions with the members of CIA who appeared before the committee went into the operational background of the Agency. Naturally, operational details cannot be talked about in public for they go to the very heart of CIA's activities. Bear in mind, however, that the CIA is prohibited by law from any internal security functions. It deals only in the field of foreign intelligence.

This bill which we are now considering with one difference was introduced into the second session of the Eightieth Congress last year, and was unanimously approved by the Armed Services Committees both in the Senate and the House after detailed hearings. Approved For Release 2002/10/31 : CIA-RDP90-00610R000100140003-9.

session, but due to the last minute pressure of business could not be called up in the House. After most careful consideration, the present measure has again been unanimously approved, first by a subcommittee and then by the full Armed Services Committee in the House.

As I have said, its purposes are administrative, and its provisions break down into four main categories. In the first place, the Agency seeks to avail itself of the benefits of the Armed Services Procurement Act of 1947 so that it may utilize the most up-to-date procurement facilities in connection with its activities. Secondly, in connection with the sections dealing with foreign travel and similar allowances, the Agency, in availing itself of many of the provisions of the Foreign Service Act of 1946, is seeking to build up a career service in the intelligence field second to none. A second-best intelligence service is almost as bad as none at all. Within the framework of existing Government laws and salaries, we are seeking to place CIA on a career basis, particularly for those of its employees who may spend a large portion of their career on foreign assignment. Thirdly, we are supplying the Agency, by this bill, with certain general administrative authorities which are needed. Finally, we are supplying the Agency with appropriations language to which their budget and fiscal employees, as well as those of the General Accounting office, may look in the auditing of the Agency's expenses.

In broad terms, therefore, H. R. 2663 seeks to assist this country in the building up and development of a career foreign intelligence service, and to free the Agency from certain restrictions so that it may operate as a mature intelligence service must operate.

Section 1 of this bill merely contains certain very basic definitions of terms used in the act.

Section 2 authorizes a seal of office for the Agency, and provides that judicial notice shall be taken thereof. From time to time it has been necessary for CIA to produce records in court. For example, the records of the monitoring of foreign propaganda broadcasts in their possession have included recordings of the speeches made from Germany by Douglas Chandler and Robert Best. These recordings were the basis of the recent convictions of these two men for their treasonable activities during the late war. In order that authenticated copies of such material can be submitted when called for in court, a seal is necessary of which the court can take judicial notice.

Section 3 of the bill authorizes the Agency to utilize certain of the authorities granted the armed services in the Armed Services Procurement Act of 1947. The main features of this law which are being extended to the CIA are in the field of negotiation for contracts without advertising. The general ceiling for which contracts can be negotiated without advertising today is \$100. The Armed Services Procurement Act raises this ceiling to \$1,000, and it is being extended to include CIA contracts up to this amount. In addition, the act au-

not admit of delay, where it is impracticable to secure competition, and for supplies or services the nature of which should not be publicly disclosed. It stands to reason that certain of the technical equipment which this Agency must utilize may be made only by one firm for reasons of security, and certainly some of this equipment should not be openly advertised for. Therefore, it seems only proper that these authorities which the Congress has already extended to the armed services should be further extended to CIA. The remainder of this section sets forth the applicable provisions of the Procurement Act regarding rules for advertising, the type of contracts that can be made, damages, joint procurement, delegations of authorities and limitations thereon.

Section 4 of the bill authorizes the Agency to assign its personnel to schools for special instruction and training, and to pay the cost of such tuition and expenses. This will permit the Agency to send selected employees to such schools as the National War College, advance courses in international relations and related fields, refresher courses in language fields, and special training courses.

Section 5 of the bill presents one of its most important features from a career standpoint. Virtually all of the provisions of this section have been taken directly from similar provisions in the Foreign Service Act of 1946. It provides for the payment of travel expenses for the employees of the Agency and for the members of their families when proceeding to posts of duty abroad, and from post to post abroad. It provides for their being returned to the United States with their families on statutory leave after 2 years of continuous service abroad.

It must be reemphasized that these provisions are not new departures created for CIA, but are merely extending to the Agency the best features of other career services in the Government. This section also provides for the hospitalization and medical care of the Agency's full-time employees abroad, and includes provisions for the periodical physical examination of all of the employees on foreign posts.

Certain general administrative provisions are granted to the Agency, most of which are similar to authorities granted to other agencies of the Government at one time or another, or which deal with the security of the Agency's operations. For instance, there are provisions permitting the arming of couriers and guards carrying confidential documents. Specific authority is needed to override State statutes which prohibit the carrying of firearms without special licenses. Such a statute is in existence for the FBI, and the armed services have always been allowed to arm officer couriers.

Section 8 of the proposed bill contains a provision which will permit the entry of 100 aliens into the United States for permanent residence. This will be explained more fully by my distinguished colleague, the gentleman from North Carolina [Mr. DURHAM]. However, I would like to emphasize that this section

1949

CONGRESSIONAL RECORD—HOUSE

1945

essence, and should these people be required to go through the many procedures of obtaining visas, having photographs taken, and filing applications—they would be dead before taking their second step. In certain areas of the world such persons can only contact an American once. This section permits quick action to save the lives of persons of high intelligence value to the United States.

Finally we have provided in this bill some basic appropriations language to which the Government Accounting Office and the budget and fiscal offices of the Agency can look in the expenditure of funds. Much of this language is necessary, for without it the expenditure of funds for the purposes set forth herein cannot be allowed. In addition, we have provided the legal basis for the granting to the Agency authority for the spending of those unvouched funds which the Appropriations Committee of the House will earmark, and without which there can be no successful operation of an intelligence service.

For the reasons I have set forth, I urge the passage of this bill. Above all, it will allow this country to continue and increase the successful operation of its foreign intelligence, upon which some day the security of this country and our very lives may well depend.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from Michigan.

Mr. DONDERO. Will it affect the personnel of our American military government in Germany?

Mr. SASSCER. It is my understanding that it will not.

The SPEAKER. The time of the gentleman from Maryland has expired.

Mr. SASSCER. Mr. Speaker, I yield myself one additional minute.

Basically it is outlining the administrative procedure. There is a section in the bill relating to bringing in aliens, which my able colleague the gentleman from North Carolina [Mr. DURHAM] will discuss. However, I would like to again emphasize that this section involves a time factor. It in no way encompasses the functions or prerogatives of the immigration authorities or congressional committees. This is a security measure. These men can only contact an American once. Time is the element. If they cannot make a quick exit their heads may be off and valuable information lost.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. SASSCER. I yield to the gentleman from New York.

Mr. CELLER. Does the gentleman mean to imply that immigration restrictions built up over the years are not suspended by this bill?

Mr. SASSCER. They are suspended for 100 aliens on the basis of their potential news value for security purposes and not for the purpose of general immigration laws.

The SPEAKER. The time of the gentleman from Maryland has again expired.

Mr. DURHAM. Mr. Speaker, I yield 2 minutes to the gentleman from New York

Mr. CELLER. Mr. Speaker, although I do not like the hush-hush business surrounding this bill, I shall not oppose it. Certainly if the members of the Armed Forces Committee can hear the detailed information to support this bill, why cannot our entire membership? Are they the Brahmins and we the untouchables? Secrecy is the answer. What is secret about the membership of an entire committee hearing the lurid reasons? In Washington three men can keep a secret if two men die. It is like the old lady who said, "I can keep a secret but the people I tell it to, cannot."

I must counter the remarks of the previous speaker. We have in the bill this very significant language "for permanent residence without regard to their inadmissibility under the Immigration or any other laws or regulations."

In the first place, if there had not been a closed rule, I would have made the point of order to strike out this provision because it is exclusively within the province of the Committee on the Judiciary and is not the business of the Committee on the Armed Services. The Committee on the Armed Services has nothing to do with immigration. Now this provision I have read throws out the window, at the discretion of the Director mentioned in this bill and the Attorney General, all the legislative immigration restrictions that we have built up over the years. It throws them to the winds, and if the Attorney General and the Director wish to admit Facists, Communists, Hitler sadists, morons, moral perverts, syphilitics, or lepers, they can do it. I think the House ought to know what it is legislating about, and I think, in a measure, this indicates how the cold war is unhinging the nerves of some of our high military authorities. The secrecy, especially the brand we are treated to, is ridiculous. Secondly these immigration privileges are badly conceived. If you want to give this authority to the military, all right, but I think we should know what we are doing and whether we are going. The military is not infallible. Witness the situation of the charges levied by the military intelligence against one Agnes Smedley recently, that she was a Communist, or a Russian spy, and instead of retracting when they found they were in error, they simply admitted a faux pas. The military is indeed not infallible. On the question of immigration they are given carte blanche, willy-nilly, to admit 100 persons under this particular provision which should be stricken from the bill or, if it is not stricken, certain safeguards should have been added.

I have spoken briefly to advise the Armed Forces Committee to stick to its own knitting. When immigration is involved, let the proper committee be consulted—the Judiciary Committee.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DURHAM. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in the past few days, much has been said about a provision in the proposed act which will permit the entry of 100 aliens annually into the United States without regard to immigration laws. I would like to explain this provision minutely and fully.

Section 8 of this bill provides that whenever the Director and the Attorney General shall determine that the entry of a particular alien into the United States for permanent residence is in the interest of national security or essential to the furtherance of the national intelligence mission, that alien and his family shall be given entry without regard to their admissibility under the immigration laws and regulations. The number of persons who can come into the country under this provision is limited to 100 persons in any one year. Let me emphasize that what is being waived are the laws regarding the admissibility of an alien into this country, but no laws are being waived regarding his conduct once he is here. The alien must live up to every law of the United States just as every other alien must do, and failure to do so will lead to his deportation for cause. What is the purpose of this section? Briefly, it is this. There are many people all over the world who believe in this country and what it stands for implicitly. Many of them are living in police states. Some of them may have formerly been highly placed in the service of their government. Some of them may even be there now. Many of them have important intelligence information to make available to this country, and such information may be of vital importance to our national security and our policies. These people, be they soldiers or statesmen or scientists, can only approach a representative of America once. If they are seen talking with an American, it may mean the concentration camps, or in some instances death itself. There is no time here to get visas and fill out the forms which the immigration laws require. The element of time is often 24 hours or less. When CIA plans such an operation, security requires that the people knowing it be held to an absolute minimum. The people who will be selected will be most carefully screened by CIA, and only the select few will be chosen. The concurrence in the Director's selection lies with the Attorney General, whose Immigration and Naturalization Bureau must administer the immigration laws once these people have arrived. The Committee feels that this power should be granted to the Director of Central Intelligence, and that the operation of our intelligence agency requires its existence. Its force and effect is testified to by the screams of anguish which have already emanated from Communist sources abroad. The Rumandan radio protested immediately after the Armed Services Committee approved this section. This is what it said:

Dollars fatherland, fatherland of gangsters and of international swindlers, is now officially decreed fatherland of spies from any corner of the world.

A statement by the American Slav Congress, which is on the Attorney General's list as a Communist organization, was forwarded to this committee, and almost upon its very receipt the Moscow radio started to broadcast its text. The Moscow radio says that this provision will make every freedom-loving American a spy.

1949

CONGRESSIONAL RECORD—HOUSE

1949

where appropriate existing agencies and facilities: *Provided*, That the agency shall have no police, subpoena, law enforcement powers, or internal security functions: *Provided further*, That the departments and other agencies of the Government shall continue to collect, evaluate, correlate, and disseminate departmental intelligence: *And provided further*, That the Director of Central Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosures;

Fourth:

To perform, for the benefit of the existing intelligence agencies, such additional services of common concern as the National Security Council determines can be more efficiently accomplished centrally;

Fifth:

To perform such other functions and duties related to intelligence affecting the national security as the National Security Council may from time to time direct.

Now, what authority is granted in the proposed legislation? Well, the bill creates a seat of office for the Central Intelligence Agency. It extends to it certain provisions of the Armed Services Procurement Act of 1947. It permits the Director to provide for special instruction and training of agency personnel. It provides for travel allowances and expenses for agency personnel. It permits agency personnel to return to the United States on leave after 2 years of foreign service. It provides for the payment of transporting and storing household belongings. It provides for the health of employees overseas by permitting the payment of travel expenses to the nearest adequate medical facilities when local medical facilities are inadequate. It provides for the establishment of first aid stations at posts overseas. It provides for physical examinations for all employees. It provides for transporting the remains of an employee or a member of his family who may die while overseas, and it provides that the agency may recruit foreign nationals abroad where citizens of the United States are not available for such employment. And it provides allowances for agency employees similar to those given to State Department Foreign Service employees. It also contains other provisions of greater significance, such as the authority to transfer and receive from other Government agencies such sums as may be approved by the Bureau of the Budget for the performance of any of the agency functions. This is how the Central Intelligence Agency gets its money. It has been going on since the agency was created, and this simply legalizes that important function which is the only means by which the amount of money required to operate an efficient intelligence service can be concealed. Likewise, the bill removes certain limitations which exist under provisions of law which limit the amount of rental that the agency may pay for its quarters overseas and the amount of improvements that it may make in such leased facilities. This makes sense in view of the fact that an efficient intelligence agency must be able to rent adequate facilities regardless of the value of the property and must be permitted to make such improvements in the property as may be necessary for the proper performance of its functions;

the installation of necessary equipment. The bill also eliminates the agency from the requirements of law which result in the publication of personnel data in the Official Register of the United States, and exempts the Bureau of the Budget from the necessity of including in its public report to the Congress the agency's personnel strength. This information has not heretofore been made public and must, of course, continue not to be made public, and this merely legalizes such action.

The most widely publicized feature of the bill is that with respect to the provision which provides for the admission of 100 aliens for permanent residence in the United States. This will only be done when the Director and the Attorney General concur in the admission of such aliens and will permit the agency to offer to certain defectors and others the greatest reward possible in this world today, residency in the United States. These people will be carefully screened and their admission will only be in the best interests of the United States, and, furthermore, if at a later date they should prove undesirable they can be deported.

Another section of the bill provides that the agency may spend sums made available to it without regard to provisions of existing law. It also permits the expenditure of funds for confidential purposes to be solely accounted for by certification of the Director. This is not unusual. The State Department has such authority, as does the Atomic Energy Commission, and, for that matter, so in effect do all branches of the armed services.

Therefore the only significant feature of this bill which will be completely new in all respects will be that pertaining to the admission of 100 aliens in the United States.

There has been a great deal of discussion as to why the committee meetings were conducted in executive session without a stenographic record being kept. It is obvious that there is certain information which must be confined to as few people as possible. For example, it would not be wise to disclose to the world the amount of money necessary to operate the Central Intelligence Agency annually. Nor would it be wise to announce to the world the number of personnel employed by the agency. Nor would it be wise to announce just where our CIA is operating, or how they are operating, or what information they are seeking to obtain, or what information they have obtained. But in order for a congressional committee to properly analyze a bill granting authority to an agency to perform certain functions, it seemed wise to obtain this information but not to make it public.

This bill will enable the agency to have legal authority for practically all the things it is now doing. You will note that the National Security Act specifically excludes the agency from internal security functions. There is no problem of invasion of the rights of American citizens involved in this legislation. If this Nation wants a modern, efficient, effective, capable, valuable intelligence gathering agency, then we must give it certain authorities.

the world without one. It would seem a little ridiculous to spend one-third of our annual budget for our national defense and not grant reasonable monetary statutory and administrative support to the agency charged with gathering the intelligence information which has so much to do with the size of the appropriations we grant for the strength of our armed services.

I might add that this bill was reported unanimously by the subcommittee and unanimously by the full committee. That there were no dissenting votes is significant. The records indicating the Members who attended the meetings are available for public inspection.

HOUSE RESOLUTION 130

The SPEAKER. Without objection, House Resolution 130 will be laid on the table.

There was no objection.

THE COMMUNIST PARTY

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BRYSON. Mr. Speaker, in view of the daily recurrence of events we cannot longer sit supinely by and allow members of the ungodly Communist Party to destroy us. Repeatedly, I have spoken out against the apparent determination on the part of Stalin's agents in this country to thwart all efforts toward establishing permanent peace.

Words and efforts of conciliation have proven to be of no avail. We must strike and strike now before it is too late. Today, I have introduced a bill in the House, which if enacted, would outlaw the Communist Party and order deportation of all foreign Communists within our borders. I submit this vital measure to each of you for its immediate favorable consideration.

Attached hereto I include a very timely editorial from my home-town newspaper, the Greenville Piedmont:

COMMUNISTS DROP MASK OF PATRIOTISM

In less than 2 weeks Communists in three democratic countries have made the callous flexibility of the Red line of reasoning and the calculated treachery of the party oath brutally clear. The truth is not in them and honor has no meaning for them.

The two top American Communists, National President William Z. Foster and General Secretary Eugene Dennis, said this week that in the event of war between the United States and Russia the American Communist Party would try to defeat the predatory war aims of American imperialism.

They said they did not think war was inevitable, that they believed the American and Russian systems could exist separately and peacefully. But, they added, if Wall Street should plunge the United States into war, the Communists would oppose it as unjust and aggressive and destructive of the deepest interests of the American people.

There, you have it. Should Russia attack us, Wall Street aggression would be blamed.

French Communist Maurice Thorez said last week that Soviet Russia was by definition incapable of aggression. Therefore, it cannot, no matter what the circumstances.

1946

CONGRESSIONAL RECORD—HOUSE

MARCH 7

disgusted with the cynicism of the United States Congress and its policy of reviving fascism and preparing a new world war. It is interesting to note that the Moscow radio picks up and endorses this protest almost as soon as the committee itself has received the telegram. The people who will enter this country under this provision are not spies. They are defectors from the totalitarian state. They are people whose love of democracy is so great that at the risk of their lives they come to representatives of the United States to give them information which will help the west and the United States survive.

I believe the well-known radio commentator, Edward R. Murrow, very neatly summed up the purpose of this section in his broadcast of March 4, in which he stated, and I quote:

This is essentially an underground railroad for first-class passengers only, up to 100 a year. It will be confined to people of the highest caliber, morally and mentally, who have to get out of their own countries on short notice or face arrest, torture, or execution, people whose background, information, and services are so valuable to us that it would not be safe to keep them for any prolonged length of time even in countries of western Europe.

Mr. Speaker, the dearest thing we can give these aliens is admission to this country, and that is what your committee proposes.

As an essential weapon for the successful operation of this country's foreign Intelligence Service, and after the most serious and searching consideration, your committee has endorsed this section and urges its adoption, as well as all other provisions of the bill.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I call the attention of the Members of the House who are present to the language on page 6 of the report. I think it can be said without any fear of contradiction that this is the first time in the history of the United States that this language is found in any report accompanying a bill coming before the Congress. It reads as follows:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature. However, the Committee on Armed Forces received a complete explanation of all features of the proposed measure. The committee is satisfied that all sections of the proposed legislation are fully justified.

Let us look at this a moment. We are being asked to vote for legislation without having full explanation of all of the provisions of the bill.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. DURHAM. The gentleman knows of course that this is an espionage bill. Mr. MARCANTONIO. I do not see what difference that makes. We have gone through two world wars. We have gone through a civil war and the Congress has never been asked to vote for any legislation without explanation of all of the provisions of the bill.

of this House to do. Can anyone deny that that is what we are being requested to do under this motion to suspend the rules?

What are we doing here? First of all, as to the secrecy with which the committee has been operating, it admits that its members have the information which they are withholding from the House. As the distinguished gentleman from Massachusetts, the former Speaker of the House [Mr. MARTIN], said, if he is correctly reported in this morning's press: "There is no such thing as a secret in Washington, when any three persons know it." Yet, we are told that the information the committee has must be kept a secret from the Members of the House. What is worse, the committee informs us through its report that the Members of the House must pass this bill without any explanation of all of its provisions. This makes every single section of this bill suspect. No Member of Congress has been informed. No Member of Congress has been given the full explanation of all of the provisions of the legislation to which the representatives of the people are entitled before voting on any legislation. Only the members of the Committee on Armed Services, we are told, have been given the explanation. That is the situation you have before you. If under the wave of hysteria you want to abdicate your legislative functions to just one committee of the House, that is your privilege, but as for me I refuse to do it. I no not care what reason is given. There has never been and there can never be any justification at any time for the representatives of the people, who are elected to Congress, to abdicate their function of legislating with full knowledge on the matters which come before them. This bill suspends that function and says,

"You must not have knowledge of all of the provisions of the bill." It says, "You must vote blindly and must take the word of a committee." No one challenges the good faith of the committee members, but the fact is that with 435 Members from 435 different districts, we are all entitled to have our own viewpoint on legislation based on at least a full explanation of all of the sections of a bill. For that reason all times in the history of the Congress of the United States the membership has been given full explanation in a report which is intended to explain the bill. Never has Congress been told in a report accompanying a bill, as this one does, that Congress cannot have a full explanation of all provisions in the bill. This is the first time that Members of the House are told, "You cannot have any full explanation of this legislation. It is highly confidential. It deals with espionage."

As a result of the hysteria under which this bill is being passed I suppose a majority of the House will vote for this bill, even though in doing so you are suspending your legislative prerogatives and evading your duty to the people of this Nation.

Now, without having been given explanation of all of the provisions, I have been trying to find out something about

the report. Here are a few things that the Members of the House ought to know. I deal with section 4, on page 3:

Sec. 4. (a) Any officer or employee of the Agency may be assigned or detailed for special instruction, research, or training, at or with domestic or foreign public or private institutions; trade, labor, agricultural, or scientific associations; courses or training programs under the National Military Establishment; or commercial firms.

What does this mean? With all of the vast powers that are given this agency under the guise of research and study, you are subjecting labor unions and business firms to the will of the military. You are opening the door for the placing of these intelligence agents, supposed to deal with security pertaining to foreign as well as internal affairs in the midst of labor organizations.

The SPEAKER *pro tempore*. The time of the gentleman from New York [Mr. MARCANTONIO] has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself five additional minutes.

You are opening the doors for the entrance of intelligence agents into labor organizations; yes, to spy on labor and carry out antilabor activities. I am sure if it were not for the cold war hysteria, very few Members of the Congress would vote for that provision. Certainly the majority would not vote to suspend the rules so that you must take this bill as it is without any opportunity for amendment, despite its serious implications against the security of the liberties of the American people.

The gentleman from New York has discussed the immigration provision of the bill. I simply want to add to his comments that this section will work out only in one way: That there will be admitted into this country former Fascists and Nazis, antilabor people, monarchists, people that a democracy such as ours would want to keep out. It is only natural that the followers of the Hapsburgs, Francos, and other Fascist scum will be the beneficiaries of this feature of the bill, which suspends the immigration laws and allows for permanent admission of 100 of them per year.

Then, from the standpoint of Government operations, on page 15 of the bill, we find this:

The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditure of Government funds.

I wish some of you gentlemen who have been cutting down appropriations for unemployment services and social welfare legislature would listen to this:

The sums made available to the Agency may be expended without regard to the provisions of law and regulations relating to the expenditures of Government funds.

So what are we doing here? From what we know—and, mind you, we have not been told everything—but from what we know, we are suspending civil liberties in the interest of a military intelligence agency. That is definite. You cannot get away from that. We are also making it possible to have admitted

1949

CONGRESSIONAL RECORD—HOUSE

1947

counterespionage or counterintelligence, people that a democracy would spew out under all circumstances. We are suspending all laws with regard to Government expenditures, and we are asking the Members of Congress to suspend their prerogatives and cease to do their duty on legislation with full explanation of the legislation. Of course, there are times when bills get by. We cannot all be up to date on everything. We might not know what is in a bill. That happens. But this time we are told that we are not supposed to know what is in the bill. I want to read that again, and I hope it will sink in:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation in view of the fact that much of such information is of a highly confidential nature.

Congress is suspending its right to legislate and we are being asked to do this in furtherance of a cold war. This is illustrative of what this imperialist cold war is imposing on the people of a country: Suspending its civil liberties, invasion of the labor movement by intelligence agents, admission of undesirables—undesirable in any democracy—and asking Members of Congress to suspend their prerogative to pass on legislation.

But you say this is dealing with espionage, that this is done for the sake of security. I refuse to believe that our Nation is so unsafe from a security standpoint that we have to suspend not only the civil liberties of the people but the legislative prerogatives of the Representatives of the people in the Congress. If you want to do this in the hope that a newspaper will not criticize you for voting against it because of the hysteria which is being whipped up, that is your privilege, but I submit that the situation is obvious: Hysteria is used to undermine the civil liberties of the people and extend the military control—military control—I emphasize that, over the lives and thinking of the people of these United States.

Mr. Speaker, I reserve the balance of my time.

Mr. VINSON. Mr. Speaker, I yield the balance of my time to the distinguished gentleman from Missouri [Mr. SHORT].

The SPEAKER. The gentleman from Missouri is recognized for 4 minutes.

Mr. SHORT. Mr. Speaker, there is some plausibility in the argument advanced by the gentleman from New York. I suppose that none of us in the Chamber at this moment likes this particular kind of legislation, but I think we all will agree that the weakest link in our chain of national defense in days gone by has been in a weak intelligence system. The Germans, the Russians, the British, have had far better systems of intelligence than have we, and in spite of all our wealth and power and might we have been exceptionally weak in psychological warfare notwithstanding the fact that an idea is perhaps the most powerful weapon on this earth.

The pending bill, H. R. 2633, is substantially the same as H. R. 5871 which was introduced in the Eightieth Congress, unanimously reported by the Senate Committee on the Armed Services, and

passed the Senate. A companion bill was unanimously reported by the House Committee on the Armed Services, but due to lack of time it failed of passage in the Eightieth Congress.

The purpose of this bill is simply to give the Central Intelligence Agency authority that is necessary for its proper administration. It is true that we will bring in not to exceed 100 persons a year, but before they are admitted they will be carefully screened by both the Director of Central Intelligence and the Attorney General of the United States. They act jointly, and it is absolutely essential that some of the information given to members of our committee as was given to members of the Rules Committee, must be kept confidential, because it is of a secret nature. The FBI does not advertise the movements it makes in the apprehension of a criminal. Our intelligence officers to be effective and in their own defense as well as the country's must keep many of their movements secret. I think it would be supreme folly for us to discuss every phase and ramification of a bill that is of such a highly confidential nature.

Mr. DURHAM. Mr. Speaker, will the gentleman yield?

Mr. SHORT. I yield to the gentleman from North Carolina.

Mr. DURHAM. Did the committee satisfy itself as to the expenditure of this fund?

Mr. SHORT. It did, and there is a definite limitation upon this. We limited not only the number of persons to be admitted but also the amount of money to be expended; however, we are not telling how, when, where, or to whom the money will go. We cannot, because of the very nature of the problem.

I am glad the gentleman from New York quoted from page 6 of the committee report because the language itself is self-explanatory. You are going to have to trust somebody, Mr. Speaker, and while perhaps it is asking too much for you to trust the members of the Committee on the Armed Services I think you can trust the Committee on Rules or any other committee of this House. Both committees mentioned reported this bill unanimously.

We are engaged in a highly dangerous business. It is something I naturally abhor but sometimes you are compelled to fight fire with fire. There is no other way out of it so far as I can see and perhaps the less we say in public about this bill the better off all of us will be.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. MARCANTONIO. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the gentleman from Missouri has stated correctly that information is withheld sometimes by a committee when it receives information which is confidential. However, what is before us is not an instance of merely withholding information. I read from the report:

The report does not contain a full and detailed explanation of all of the provisions of the proposed legislation.

It is obvious, and even a 6-year-old child can see the distinction. What we

have here is not a matter of withholding information; it is a matter of asking the Congress to legislate even though an explanation of the legislation is refused by the committee. The complaint I make is that the committee refuses to give any explanation of some of the provisions of the bill.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Missouri.

Mr. SHORT. I want to call the attention of the Members of the House to a sentence from Rear Adm. Hillenkoetter's request which he made in a letter addressed to the Speaker of the House, found on pages 6 and 7 of the report.

In next to the last paragraph he states:

In almost all instances, the powers and authorities contained in the bill already exist for some other branch of the Government, and the bill merely extends similar authorities to the Central Intelligence Agency.

That is absolutely true. These authorities exist for other Government agencies and all this bill does is to extend to the Central Intelligence Agency the powers already enjoyed by other agencies.

Mr. MARCANTONIO. The gentleman from Missouri has answered himself. The rear admiral says "in almost all instances," and again I say the committee refuses to explain the instances that are not covered by the rear admiral's statement, "In almost all instances." It is the exceptions that concern me.

Mr. SHORT. In the original statement of the gentleman from New York he said that never before had the Congress considered such legislation. We all know that the President was given blanket authority so far as the atomic bomb was concerned, and we spent \$2,000,000,000 of the taxpayers' money before anybody knew what it was.

Mr. MARCANTONIO. The gentleman will remember that in connection with the atomic bill that we had here there was a report on the legislation. Nowhere in the report was it stated that the report did not contain a full and detailed explanation of all the provisions of the proposed legislation. The legislation was explained section by section in the report accompanying the bill. This is the first time in the history of Congress that Members are being asked to vote on legislation about which not merely information is withheld but also explanation as to the provisions of the legislation.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from California.

Mr. HOLIFIELD. I would like to question the gentleman from Missouri. On page 4 of the report, subsection 5 (b), it is provided that an employee while in this country on leave may be assigned to temporary duty in the United States for special purposes or reorientation prior to returning to foreign service.

In the original unification bill passed through the Committee on Expenditures, of which I am a member, we had the setting up of this CIA. It was a tri-

1948

CONGRESSIONAL RECORD—HOUSE

MARCH 7

brought out at that time that no internal security work of any kind would be done by the CIA; that all of its intelligence work would be done in a foreign field. In view of this particular paragraph here I want to be assured at this time that such special duties as are mentioned here, or reorientation, do not apply to security functions in the United States.

Mr. SASSER. Mr. Speaker, if the gentleman will yield, I will say to the gentleman that is correct, that this bill is in no wise directed to internal security. If they come back here it is purely a matter of leave, and reorientation, and training to go back into their work in foreign fields.

The SPEAKER. The time of the gentleman from New York has expired.

The question is on suspending the rules and passing the bill.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 348, nays 4, not voting 82, as follows:

[Roll No. 23]

YEAS—348

Abernethy	Camp	Fenton
Albert	Canton	Fernandez
Allen, Calif.	Cariyo	Fisher
Allen, Ill.	Carranan	Flood
Allen, La.	Carroll	Fogarty
Andersen	Case, S. Dak.	Forand
H. Carl	Cavalante	Ford
Anderson, Calif.	Collier	Frazier
Andresen,	Chatham	Fugate
August H.	Cheif	Fulton
Andrews	Chesney	Purcolo
Angell	Carterfield	Gambie
Atwells	Christopher	Garmatz
Aspinwall	Church	Gary
Achitzicosa	Clemente	Gathings
Barden	Clevenger	Gavin
Barrett, Wyo.	Coley	Gillette
Bates, Ky.	Cole, Kans.	Golden
Bates, Mass.	Colmer	Goodwin
Battle	Combs	Gordon
Beall	Cooper	Gore
Beckworth	Cotton	Gorski, Ill.
Bennett, Fla.	Cox	Gorski, N. Y.
Bennett, Mich.	Crawford	Gossett
Bentsen	Crook	Graham
Biemiller	Crosser	Granger
Bishop	Cunningham	Grant
Blackney	Curtis	Green
Bland	Dague	Gregory
Blatnik	Davis, Ga.	Gross
Boggs, Del.	Davis, Wis.	Hagen
Boggs, La.	Dawson	Hale
Boling	Deane	Hall
Bolton, Md.	Delaney	Edwin Arthur
Bolton, Ohio	Denton	Halleck
Bonner	D'Ewart	Hardy
Boykin	Dolliver	Hare
Bramblett	Dondero	Harris
Ereen	Doughton	Harrison
Brown	Doyle	Hart
Brooks	Durham	Harvey
Brown, Ga.	Eaton	Havener
Brown, Ohio	Eberharter	Hays, Ohio
Bryson	Elliott	Hedrick
Buchanan	Ellsworth	Heferman
Burdick	Eiston	Heller
Burke	Engel, Mich.	Heselton
Burleson	Engle, Calif.	Hinshaw
Burnside	Evans	Hobbs
Burton	Fallon	Horton
Byrnes, N. Y.	Fulcher	Hutton

NAYS—4

Bosone	Marcantonio	Morris	Powell
--------	-------------	--------	--------

NOT VOTING—82

Abbott	Hand	Nixon
Addonizio	Harden	Norton
Bailey	Hays, Ark.	O'Neill
Baring	Hebert	Patterson
Barrett, Pa.	Herlong	Pfeifer
Bloom	Hester	Joseph L.
Buckley, Ill.	Hill	Piumly
Buckley, N. Y.	Hodman, Ill.	Poulson
Buiwinkle	Hoffman, Mich.	Redden
Candole	Irving	Sadowski
Case, N. J.	Javits	Scott, Hardie
Chudoff	Johnson	Scott
Cole, N. Y.	Kean	Hugh D., Jr.
Cooley	Kearns	Smith, Ohio
Corbett	Keogh	Somers
Coudert	King	Stockman
Davenport	Kunkel	Tauricchio
Davies, N. Y.	Lato	Taylor
Davis, Tenn.	Latham	Thomas, N. J.
DeGraffenreid	Lichtenwalter	Welchel
Blindell	Lind	Whitaker
Dolinger	Lynch	White, Idaho
Donohue	McSweeney	Wilson, Ind.
Douglas	Macy	Wilson, Okla.
Glimmer	Mitchell	Winstead
Granahan	Moulder	Woodhouse
Gwynn	Multer	Young
Hall	Murdock	
Leonard W.	Murphy	

So (two-thirds having voted in favor thereof) the rules were suspended and

The Clerk announced the following pairs:

General pairs until further notice:

Mr. Hays of Arkansas with Mr. Hugo D. Scott, Jr.

Mr. deGraffenreid with Mr. Casa of New Jersey.

Mr. Whitaker with Mr. Hardie Scott.

Mr. Hebert with Mr. Hand.

Mr. Lind with Mr. Smith of Ohio.

Mr. Addonizio with Mr. Kean.

Mr. King with Mr. Couder.

Mr. Tauricchio with Mr. Canfield.

Mr. Winstead with Mr. Macy.

Mr. Murphy with Mr. Kunkel.

Mr. Lynch with Mr. Patterson.

Mr. Chudoff with Mr. Pouison.

Mr. Buckley of Illinois with Mr. Leonard W.

Hall.

Mr. Grannahan with Mr. Kearns.

Mrs. Norton with Mr. Latham.

Mr. Joseph L. Pfeifer with Mr. Plumley.

Mr. Young with Mr. Taylor.

Mr. McSweeney with Mr. Hoffman of Illinois.

Mrs. Douglas with Mr. Gwynn.

Mr. Lane with Mr. Corbett.

Mr. Donohue with Mr. Lichtenwalter.

Mr. Dingell with Mr. Cole of New York.

Mr. Baring with Mr. Wilson of Indiana.

Mrs. Woodhouse with Mr. Welchel.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. VINSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Speaker, during the past few days there has been a great deal of publicity and discussion about a bill reported favorably by the Armed Services Committee with respect to our Central Intelligence Agency.

There is nothing startling in this bill and, with one major exception, practically all of the remaining provisions of the proposed legislation now exist for some branch or branches of the Government. In fact, almost all of the proposed legislation was taken from existing laws applicable to other Government agencies, particularly the State Department.

The Central Intelligence Agency was established pursuant to section 102 of the National Security Act of 1947. Its functions are set out in that act, which states that it shall be the duty of the agency, under the direction of the National Security Council:

First:

To advise the National Security Council in matters concerning such intelligence activities of the Government departments and agencies as relate to national security;

Second:

To make recommendations to the National Security Council for the coordination of such intelligence activities of the departments and agencies of the Government as relate to the national security;

Third:

To correlate and evaluate intelligence relating to the national security, and provide for the appropriate appropriations.